

Town Board Minutes

September 6, 2016

Meeting No. 25

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 6th day of September 2016 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
MARK LUBERA, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

PERSONS ADDRESSING TOWN BOARD:

Beckman, Eric, spoke to the Town Board on the following matter:

- Asked about scheduling a meeting with the Supervisor regarding “The Big Event”, a drug awareness function.

Kazmierczak, Tom, spoke to the Town Board on the following matter:

- Comments regarding the union contracts for the employees of the Town.

Stribing, Kimberly, spoke to the Town Board on the following matter:

- Informed the Board about “The Big Event”, a drug awareness function, on September 17, 2016 at the Youth Bureau and asked to extend the hours of the music.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1: V & T Ordinance: Parking, Standing, and Stopping Hidden Pines Subdivision (No Parking)

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was opened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a V & T ordinance: Parking, Standing & Stopping Hidden Pines Subdivision (No Parking) matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Jeff Doetterl	Comments/Questions
Melissa Smith	Proponent

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER WALTER AND CARRIED, the public hearing was closed at 7:30 P.M.

Decision on this matter was reserved.

September 6, 2016

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2: V & T Ordinance: Parking, Standing, and Stopping Hidden Pines Subdivision (Limited Parking)

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER WALTER AND CARRIED, the public hearing was opened .

At 7:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a V & T ordinance: Parking, Standing & Stopping Hidden Pines Subdivision (Limited Parking) matter

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Jeff Doetterl	Proponent

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM, AND CARRIED, the public hearing was closed at 7:34 P.M.

Decision on this matter was reserved.

September 6, 2016

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER WALTER AND CARRIED, the public hearing was opened.

At 8:00 P.M., the Town Board held a Public Hearing to hear all interested persons upon an Unsafe Building, 29 Hess Place matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
None	

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 8:01 P.M.

Decision on this matter was reserved

September 6, 2016

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held August 15, 2016 and the Regular Meeting of the Town Board held August 15, 2016 be and are hereby approved.

BE IT FURTHER

RESOLVED, that the minutes of the Special Meeting of the Town Board held August 17, 2016 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 45462 to Claim No. 45711 Inclusive

Total amount hereby authorized to be paid: \$1,548,137.90

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
25717		Dominic A. Cimato	333 Pleasant View Dr	Er. Deck	
25718		Thomas & Jane Lawniczak	23 Woodgate Dr	Re-Roof	
25719		Ronald & Donna Georgini	19 Pear Tree Ln	Er. Garage	
25720		Thomas & Janeen Boldender II	682 Pleasant View Dr	Er. Shed	
25721		Richard Walczak	1278 Penora St	Re-Roof	
25722		David & Mary Chesna	44 Vandenberg Ave	Dem. Bldg	(V/L)
25723		David & Mary Chesna	44 Vandenberg Ave	Er. Res. Add.	(V/L)
25724		Montante Construction LLC	4400 Walden Ave	Er. Comm. Add./Alt.	
25725		Kenneth Berg	76 Sterling Pl	Er. Fence	
25726		Brian Sullivan Concrete Inc.	64 Sawyer Ave	Re-Roof	(V/L)
25727		Rober & Lori Speyer	285 Westwood Rd	Er. Shed	
25728		Town Line Volunteer Fire Co.	6503 Broadway	Er. Fence	
25729		David Homes	72 Middlebury Ln	Er. Dwlg.-Sin.	
25730		Ronald Race	567 Erie St	Er. Shed	
25731		Swimco Manufacturing Inc.	19 Pear Tree Ln	Er. Pool-In Grnd	
25732		Swico Manufacaturing Inc.	64 Chestnut Corner	Er. Pool-In Grnd	
25733		Swimco Manufacturing Inc.	64 Chestnut Corner	Er. Fence	
25735		Stacy Roll	82 S Irwinwood Rd	Re-Roof	(V/L)
25736		Dennis & Alma Richards	36 Nichter Rd	Er. Fence	
25737		Jonathan Vesneske	4 Magrum Ln	Er. Shed	
25738		Fairways at Lancaster LLC	5354 Genesee St	Er. Sign - Wall	
25739		Stockmohr Co. Inc.	495 Lake Ave	Re-Roof	
25740		Hellenic East Orthodox Church	5992 Genesee St	Er. Comm. Bldg.	
25741		Peter & Lisa Musialowski	38 Sussex Ln	Er. Fence	
25742		Alison Helms & Prelewicz	36 Sagebrush Ln	Er. Fence	
25743		Swimco Manufacturing Inc.	41 Chicory Ln	Er. Pool-In Grnd	
25744		Swimco Manufacturing Inc.	41 Chicory Ln	Er. Fence	
25745		14 Rehm LLC	14 Rehm Rd	Er. Sign - Temp	
25746		Sandy Empl	149 Wendel St	Er. Res. Add.	
25747		Ernest Lachat	27 Linden Ave	Re-Roof	(V/L)
25748		Julie Laffrado	23W Drullard Ave	Er. Fence	(V/L)
25749		Sun Enterprises, Inc.	38 Pear Tree Ln	Er. Shed	
25750		Dalex Construction Inc.	38 Rollingwood Dr	Re-Roof	
25751		Michael & Adrianna Liddell	77 Middlebury Ln	Er. Shed	
25752		Dana & Rita Kane	39 Wilma Dr	Er. Fence	(V/L)
25753		Natale Development	1391 Ransom Rd	Er. Dwlg.-Sin.	
25754		Majestic Pools Inc.	3 Beatrix Cir	Er. Pool-In Grnd	
25755		Majestic Pools Inc.	3 Beatrix Cir	Er. Fence	
25756		Michael Bulera	233 Warner Rd	Er. Shed	
25757		Town Hall	21 Central Ave	Er. Sign – Wall	(V/L)
25758		CASZTERIORS INC.	12 Silent Meadow Lane	Er. Res. Alt.	
25759		David & Eileen Marzo	8 Regency Ct	Er. Shed	
25760		Michael & Cynthia Pietrasik	25 Riemers Ave	Re-Roof	
25761		Sun Enterprises Inc.	11 Tranquility Trl	Er. Shed	
25762		Ryan Homes - NVR Inc.	37 Pear Tree Ln	Er. Dwlg.-Sin.	
25763		Ryan Homes - NVR Inc.	17 Crabapple Ln	Er. Dwlg.-Sin.	
25764		David & Jill Santoro	14 James Pl	Er. Fence	(V/L)
25765		Town Line Volunteer	6503 Broadway	Er. Comm. Add./Alt.	
25766		Maple Guy Construction Inc.	46 Stephens Ct	Re-Roof	(V/L)
25767		Besroi Construction	31 Sussex Ln	Re-Roof	

25768	Besroi Construction	16W Home Rd	Re-Roof	
25769	Michael Penquie	325 Pleasant View Dr	Er. Fence	
25770	Vincent M. Paolini	18 Lombardy St	Er. Shed	(V/L)
25771	Anthony & Danielle Primerano	13 Jonquille Ct	Er. Fence	
25772	David & Lynn Gonzalez	76 Albert Dr	Re-Roof	(V/L)
25773	John & Beth Travis	49 Stutzman Rd	Er. Res. Alt.	
25774	Zenner & Ritter Co. Inc.	19 Village View	Inst. Generator	
25775	Zenner & Ritter Co. Inc.	44 Gale Dr	Inst. Generator	
25776	6335 Transit Rd. LLC	6337 Transit Rd	Er. Sign - Temp	
25777	6335 Transit Rd. LLC	6337 Transit Rd	Er. Sign - Wall	
25778	Cynthia A. Stofer	11 Hunters Dr	Re-Roof	
25779	Bob Veal Corp.	3805 Walden Ave	Er. Comm. Add./Alt.	(V/L)
25780	Kathleen Peters	11 Huntley Pl	Er. Garage	(V/L)
25781	John & Kathryn Schnell	30 Park Blvd	Er. Fence	(V/L)
25782	A Best Inc.	51 Main St	Er. Res. Alt.	
25783	Zenner & Ritter Co. Inc.	5 Milton Dr	Inst. Generator	(V/L)
25784	RJF Development JV	698 Pleasant View Dr	Er. Dwlg.-Sin.	
25785	RJF Development JV	688 Pleasant View Dr	Er. Dwlg.-Sin.	
25786	Michael Fazio	20 Chicory Ln	Er. Pool-Abv Grnd	
25787	Ronald & Donald Giogini	19 Pear Tree Ln	Er. Res. Alt.	
25788	Paul Blatner	18 Carlisle St	Inst. Generator	
25789	J-Cap Contractors LLC	76 Brunswick Rd	Re-Roof	(V/L)
25790	RJF Developmen;t JV	8 Darien Ct	Er. Dwlg.-Sin.	
25791	Michele Collins	33W Home Rd	Re-Roof	
25792	Leveled Contracting Inc.	43 Rehm Rd	Re-Roof	
25793	Joseph & Colleen Levea	11 Stone Hedge Dr	Re-Roof	
25794	Town of Lancaster - Nike Base	525 Pavement Rd	Er. Comm. Bldg.	
25795	Alliance Homes	283 Ransom Rd	Er. Res. Alt.	
25796	Fairway Hills Development	16 Crabapple Ln	Er. Dwlg.-Sin.	
25797	Michael Mordino	37 Bentley Cir	Er. Fence	
25798	Robert & Jodi Beckman	49 Chestnut Corner	Er. Fence	
25799	Robert & Jodi Beckman	49 Chestnut Corner	Er. Pool-In Grnd	
25800	Paul Blatner	26 Wetherby Way	Inst. Generator	
25801	Todd & Melissa Felschow	29 Rose St	Er. Pool-In Grnd	
25802	William & Jennifer McCormick	23 Fieldstone Ln	Er. Fence	
25803	Andrew & Anna Mayfield	60 Pavement Rd	Er. Shed	

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Sunstar Vending (AMF Bowling Centers- Lancaster Lanes),
has applied for a license to operate and maintain a Game Room on premises located at
4913 Transit Road, within the Town of Lancaster, pursuant to Chapter 17 of the Code of
the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and
Police Chief for review and recommendation, and

WHEREAS, the Building Inspector and Police Chief have completed
their review and made a formal, favorable recommendation to the Town Board on the
issuance of this license.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to issue a
license to Sunstar Vending (AMF Bowling Centers- Lancaster Lanes) to operate and
maintain a Game Room on premises located at 4913 Transit Road, Lancaster, New York,
and

BE IT FURTHER

RESOLVED, that said license shall be issued for the **one (1) year**
period of July 1, 2016 to June 30, 2017 in accordance with the application of the
petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$840 for
twelve (12) amusement devices.

The question of the adoption of the following resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

File: RLICENSE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, Twin District Volunteer Fire Company, Inc., by letter
dated August 15, 2016, has requested the addition of the following members to the roster of
said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the additions to the membership of the Twin District Volunteer Fire Company the following
individuals:

ADDITION:

Scott Simon	Nicole Simon
Lancaster, NY	Lancaster, NY

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

File: RFIRE (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Town Board is considering the construction of a new 1,500± sq. ft. single story pre-engineered metal storage building addition to an existing 1,500± sq. ft. storage building by Russell’s Steak, Chops & More to be located at 6675 Transit Road in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on August 15, 2016 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

- 1. This project is described as construction of a 1,500 ± sq. ft. single story pre-engineered metal storage building addition on 7.44 acres of vacant property will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein..
- 2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
- 3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
- 4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: September 6, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a 1,500 ± sq. ft. storage building by Russell’s Steak, Chops & More to be located at 6675 Transit Road. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Russell’s Steak, Chops & More Metal Storage Addition

Location of Action: 6675 Transit Road, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: the construction of a 1,500± sq. ft. single story pre-engineered metal storage building addition to an existing 1,500± sq. ft. storage building of like construction; located at 6675 Transit Road on 7.44 ± acres in the Town of Lancaster, NY.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.

8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

Contact Person:	Kevin E. Loftus, Town Attorney
Address:	Town of Lancaster 21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342

PREFILED RESOLUTION NO. 7 – MEETING OF SEPTEMBER 6, 2016

7. Abraham/_____Amend V&T Ordinance Re: Parking, Standing & Stopping Hidden Pines Subdivision ((No Parking)

This resolution was withdrawn by Councilmember Abraham for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, a Public Hearing was held on the 6TH day of September, 2016 for the purpose of amending Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

- 1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
- 2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on September 6, 2016;
- 3. That a Certified Copy thereof be published in an official newspaper of general circulation on September 8, 2016;
- 4. That a Certified Copy of the amendment be posted on the Town Bulletin Board:
- 5. That Affidavits of Publication and Posting be filed with the Town Clerk;
- 6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law;
- 7. That a Certified Copy of this resolution be sent to the Lancaster Central School District Department of Transportation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE X – Parking, Standing, and Stopping

46-14. Parking time limited in designated locations; is hereby amended by adding thereto the following:

D. The parking of a vehicle is hereby prohibited in the following locations between the hours of 6:00 a.m. and 5:00 p.m. Monday through Friday from September 1 to November 14 and from March 16 to June 30:

(1) Hidden Pines Subdivision

(a) On both sides of Silent Meadow Lane from lot number 19 to the dead end.

September 8, 2016

**STATE OF NEW YORK :
COUNTY OF ERIE :
OF LANCASTER :**

THIS IS TO CERTIFY that I, **DIANE M. TERRANOVA**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 6th day of September, 2016 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 6th day of September, 2016.

Diane M. Terranova, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEAREAS, by letter to the Town Board dated August 17, 2016, Parks Crew Chief Mark Lubera has requested that the Town Board add \$30,000 of supplemental appropriations to the 2016 adopted Tree Planting Fee fund budget to provide funding for unanticipated tree removal resulting from the Emerald Ash Bore,

NOW, THEREFORE,
BE IT RESOLVED that the 2016 adopted budget for the Town of Lancaster be and hereby is amended as follows:

Tree Planting Fee Fund:		
Increase 33-599 Appropriated Fund Balance		\$30,000
Increase 33-960 Budget Appropriations		\$30,000
Increase 33-8000.0400 Home & Comm. Svcs, Contractual Expenses		\$30,000

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Mark Lubera, Park Crew Chief of the Town of Lancaster’s Parks Recreation & Forestry Department has notified the Board that there is are ten (10) dead Ash trees located on Town property adjacent to 45 Running Brook Drive in the Town of Lancaster that need to be removed, and

WHEREAS, the tree removal maintenance work is available through the Erie County Department of Purchase, Bid No. 2016055-004, Section E614, by authorized provider May’s Tree Service, Inc. which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, funding for the tree removal is available from the Town’s 2016 Home and Community Services, Contractual Expenses, within the Tree Planting Fee Fund, Budget Line Item 33-8000-0400.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes Erie County Bid Provider, May’s Tree Service, Inc., P.O. Box 540, Lancaster, New York, to remove ten (10) dead Ash trees located on Town property adjacent to 45 Running Brook Drive per their estimate dated August 17, 2016 for fees in accordance with Bid No. 2016055-004, Section E614, in the amount not to exceed \$6,515.00 and to be paid for with funds available from the Town’s 2016 Home and Community Services, Contractual Expenses within the Tree Planting Fee Fund, Budget Line Item 33-8000-0400.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, Daryl K. Martin, Architect on behalf of **Russell’s Steak, Chops & More**, has prepared and submitted a site plan, dated June 6, 2016 and received June 27, 2016 for the proposed construction of a 1,500 square foot single story pre-engineered metal storage building addition located at 6675 Transit Road, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their July 6, 2016 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on August 15, 2016, in conformance with SEQR (State Environmental Quality Review) regulations and on September 6, 2016 a Negative Declaration was issued.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan prepared and submitted by Daryl K. Martin, Architect on behalf of **Russell’s Steak, Chops & More**, dated June 6, 2016 and received June 27, 2016 for the proposed construction of a 1,500 square foot single story pre-engineered metal storage building addition located at 6675 Transit Road, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law of the State of New York authorizes the Town to restrict and prohibit the parking of vehicles on all roads within the Town except State Highways, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

NOW, THEREFORE,
BE IT RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of September, 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 6th day of September, 2016, the said Town Board will hold a Public Hearing on the 19th day of September, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

**CHAPTER 46
ARTICLE X – Parking, Standing, and Stopping**

46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:

A. The parking of vehicles is hereby prohibited in any of the following locations:

(35) Deer Cross Subdivision

- (a) On the East and West sides of Via Tripodi, starting 100' from William Street and then spaced 200' apart thereafter ending at junction with Via Donato.
- (b) On the North side of Via Donato from lot number 25 then spaced 200' apart thereafter to lot number 31.
- (c) On the South side of Via Donato from lot number 28 heading west spaced 200' apart thereafter, ending at lot 20.
- (d) On the South side of Via Donato from lot number 8 heading east spaced 200' apart thereafter, ending at lot 40.

and

ARTICLE X – Parking, Standing, and Stopping

46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:

A. The standing of vehicles is hereby prohibited in any of the following locations:

(35) Deer Cross Subdivision

- (a) On the East and West sides of Via Tripodi starting 100' from William Street and then spaced 200' apart thereafter ending at junction with Via Donato.
- (b) On the North side of Via Donato from lot number 25 then spaced 200' apart thereafter to lot number 31.
- (c) On the South side of Via Donato from lot number 28 spaced 200' apart thereafter, heading west ending at lot 20.
- (d) On the South side of Via Donato from lot number 8 then spaced 200' apart thereafter, heading east ending to lot 40.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: DIANE M. TERRANOVA
Town Clerk**

September 8, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvement within Creekside at Pleasant Meadows Subdivision VI, Phase I within the Town of Lancaster, and

WHEREAS, the Town Engineer by letter to the Town Clerk dated August 22, 2016 has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated August 25, 2016, has reported his favorable review for the acceptance of this public improvement.

NOW, THEREFORE, BE IT

RESOLVED, that completed Public Improvement No. 685 - Sidewalks within Creekside at Pleasant Meadows Subdivision VI, Phase I be and is hereby approved and accepted by the Town Board of the Town of Lancaster, and

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded the Town of Lancaster Youth Bureau, under the direction of the Drug Abuse Prevention Council a grant for the period January 1, 2016 through November 1, 2016 in the amount of \$3,297.00 to fund the operation of its substance abuse prevention program, and

WHEREAS, the Town Board has previously authorized entering into a Memorandum of Understanding between the Town of Lancaster Youth Bureau and WNY United Against Drug & Alcohol Abuse, Inc. for use of New York State Office of Alcoholism and Substance Abuse Services funds, and

WHEREAS, the Town Board deems it in the public interest to collaborate with WNY United Against Drug & Alcohol Abuse, Inc. to provide services designed to reduce the frequency and severity of youth alcohol and substance abuse in the Town of Lancaster;

**NOW THEREFORE, BE IT
RESOLVED**, that Johanna M. Coleman, Supervisor of the Town of Lancaster, is hereby authorized to execute a Memorandum of Understanding between the Town of Lancaster Youth Bureau and WNY United Against Drug & Alcohol Abuse, Inc., for use of the New York State Office of Alcoholism and Substance Abuse Services’ funds in the amount of \$3,297.00 to continue operation of a substance abuse prevention program through the Town of Lancaster Youth Bureau.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Drescher & Malecki LLP, Certified Public Accountants
has duly examined and audited the fiscal affairs of the Town of Lancaster for the year ended
December 31, 2015.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster accepts the
December 31, 2015 audit by Drescher & Malecki LLP entitled “Basic Financial Statements,
Required Supplementary Information, Supplementary Information, Other Information and
Federal Awards Information for the Year Ended December 31, 2015 and Independent
Auditors’ Reports”.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Drescher & Malecki LLP, Certified Public Accountants
has duly examined and audited the fiscal affairs of the Town of Lancaster, including the
records and fiscal affairs of the Departments of Town Clerk and Town Justices for the year
ended December 31, 2015,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Lancaster hereby
accepts the December 31, 2015 audits by Drescher & Malecki LLP, Certified Public
Accountants entitled “Statement of Changes in Cash Balances and Statement of Cash
Receipts and Disbursements of the Town Clerk and the Town Justices for the Year Ended
December 31, 2015 and Independent Auditors’ Report”.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, grant monies are available to local governments through the New York State Department of Transportation Bridge NY program to rehabilitate or replace culverts; and

WHEREAS, the Town of Lancaster seeks funding to rehabilitate or replace the Holland Avenue culvert at Plum Bottom Creek;

NOW THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized to complete the necessary application, forms, etc. to be submitted to the New York State Department of Transportation for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and to the acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, Tim Krantz, the owner of C.J. Krantz Topsoil Inc., located at 8960 Lapp Road, Clarence Center, New York, has submitted an application for a Special Use Permit to do Topsoil Shredding on premises locally known as 4106 Walden Avenue, Lancaster, New York, currently zoned Light Industrial (LI), in accordance with the provisions of Chapter 50 Section 46 of the Code of the Town of Lancaster to allow operations not authorized within a current zoning classification.

**NOW THEREFORE, BE IT
RESOLVED, as follows:**

That pursuant to Chapter 50-Zoning, Section 46 entitled Special use permits, of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for Topsoil Shredding, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York , on the 19th day of September 2016 at 7:15 o'clock P.M. Local Time, and the notice of the time and place of such hearing be published in a newspaper of general circulation in said Town, and posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the from attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT– C.J. KRANTZ TOPSOIL, INC.**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50 Section 46 entitled Special use permits, of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 6TH day of September, 2016 the Town Board will hold a Public Hearing on the 19th day of September, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of **Tim Krantz**, for a Special Use Permit to allow operations not authorized in a current zoning classification (Topsoil Shredding) on premises locally known as 4106 Walden Avenue, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: DIANE M. TERRANOVA
Town Clerk**

September 8, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Town Board of Lancaster NY. has reviewed the synopsis of a meeting between Village Depew Mayor Jesse Nikonowicz; New York State Department of Transportation (DOT) representatives (Region 5) Darrell F. Kaminski P.E., Regional Director; Patrick Meredith, Assistant Commissioner; Ramsey E. Kahi, P.E.; Sanjyot S. Vaidya P.E.; Lynn Marinelli on behalf of Empire State Development and local business owner Marc Shuttleworth on behalf of Depew business property owners along NYS Route 78 (Transit Road) Between Gould Avenue and Walden Avenue in the Village of Depew; and

WHEREAS, The Town Board of Lancaster is of the opinion that DOT infrastructure investments made to adjacent sections of Transit Road, while improving the roadways, brought other public safety concerns to this section of Transit Road; and

WHEREAS, the Town Board of Lancaster is concerned that emergency responders are unable to safely and quickly navigate this corridor, particularly in peak transportation times. This section of Transit Road lacks adequate turning lanes and shoulders, and does not allow for other vehicles to move over in order for emergency vehicles to pass, further slowing response time and ultimately endangering the health and well-being of residents; and

WHEREAS, the Town Board of Lancaster is concerned that inadequate space on the road forces plowed snow onto the adjoining sidewalks, causing slippery and dangerous conditions both on the sidewalk and in the road, further endangering the health and welfare of pedestrians and requiring additional maintenance effort and expense to the Village of Depew; and

WHEREAS, The Town Board of Lancaster is concerned with the ingress and egress of various businesses along this corridor that is hampering economic activity.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Lancaster requests assistance and funding from the NYSDOT (Region 5), Governor Andrew Cuomo, and Empire State Development for infrastructure improvements currently being proposed, including expansion of the current roadway, to resolve public safety concerns, promote commerce and improve walkability in the Town of Lancaster within the Village of Depew.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Brian Stanek is presently employed in the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department and John Pilato is presently employed in the position of Laborer – Highways in the Town of Lancaster Highway Department; and

WHEREAS, Dan Amatura, Highway Superintendent for the Town of Lancaster, by letter dated August 30, 2016, has recommended the appointment of Brian Stanek to the position of Laborer - Highways in the Town of Lancaster Highway Department and Mark Lubera, Park Crew Chief for the Town of Lancaster, by letter dated August 30, 2016, has recommended the appointment of John Pilato to the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department.

NOW, THEREFORE, BE IT

RESOLVED, that Brian Stanek of Lancaster, New York, be and is hereby appointed to the position of Laborer - Highways in the Town of Lancaster Highway Department, effective September 12, 2016 at an hourly rate of \$25.30 with terms of employment in accordance with the CSEA Blue Collar Agreement with the Town of Lancaster and John Pilato of Lancaster, New York, be and is hereby appointed to the position of Laborer in the Town of Lancaster Parks, Recreation and Forestry Department, effective September 12, 2016 at an hourly rate of \$24.58 with terms of employment in accordance with the CSEA White Collar Agreement with the Town of Lancaster, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Gerald Gill, Police Chief for the Town of Lancaster, by electronic communication dated August 31, 2016, has recommended the appointment of Amy Sharkey to the position of Clerk Typist in the Town of Lancaster Police Department, and

WHEREAS, Amy Sharkey qualifies for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW, THEREFORE, BE IT

RESOLVED, that Amy Sharkey of Lancaster, New York, be and is hereby appointed to the position of Clerk Typist in the Town of Lancaster Police Department, effective September 14, 2016 at an annual salary of \$36,725.00, on step, which represents 85% of the full salary of \$43,206.00, with terms and conditions of employment in accordance with the Personnel Rules for Employees in the Service of the Town of Lancaster and other Town Board resolutions as have been adopted from time to time, as is the case for other similarly situated non-bargaining town employees , and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Cross Creek Subdivision Phase VII within the Town of Lancaster, and

WHEREAS, the Town Engineer by letter to the Town Clerk dated August 31, 2016 has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated August 31, 2016 has reported his favorable review for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that completed Public Improvements No. 748 - Sidewalk, No. 749 - Pavement & Curb, No. 750 - Waterline and No. 751 – Storm Sewer within Cross Creek Subdivision Phase VII be and are hereby approved and accepted by the Town Board of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional fire hydrants authorized for this subdivision with the next billing cycle, and

BE IT FURTHER

RESOLVED, that the Town Attorney is directed to attend to filing the deed causing the dedication of the roads to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Town Highway Superintendent, by letter dated August 2, 2016 has advised members of the Town Board that there is a streambank stabilization issue at Plumb Bottom Creek and has proposed that Clark Patterson Lee Design Professionals undertake the performance of engineering services associated with Surveying, Designing, Permitting, General Construction Administration and Inspection as stated on their June 13, 2016 Proposal, and

WHEREAS, due to weather constraints, the Town deems it in the public’s interest to undertake the necessary professional engineering services to enable the Town to invite public bid for the construction/restoration of the Plumb Bottom Creek Streambank Stabilization project in an expeditious manner, and

WHEREAS, the cost for this project should not exceed \$20,000.00 per fees outlined in Clark Patterson Lee Design Professionals’ proposal with funding for this project available in 2016 Townwide Highway Fund adopted budget

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby accepts and authorizes the Supervisor of the Town of Lancaster to execute the June 13, 2016 proposal from Clark Patterson Lee Design Professionals to provide engineering services including Surveying, Designing, Permitting, General Construction Administration and Inspection for the Plumb Bottom Creek Streambank Stabilization project for a cost not to exceed \$20,000.00 based on the fee schedule provided and which will be paid for from budget account DA5120.411 – Townwide Highway Fund, Bridges - Miscellaneous Contractual Services, and

BE IT FURTHER

RESOLVED, that the following budget transfer be and hereby is approved within the 2016 Townwide Highway Fund Budget:

Transfer from DA5120.215 Townwide Highway Fund, Bridges - Capital Outlay
Transfer To DA5120.411 Townwide Highway Fund, Bridges - Miscellaneous Contractual
Services Amount: \$10,000

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

September 6, 2016

COMMUNICATIONS & REPORTS

- 488. Business Administrator Iroquois Central School District to Town Clerk –
Certified school tax rate for the school year 2016-2017 for Iroquois
Central School District. Disposition = Received & Filed**
- 489. Lancaster Town Band to Supervisor –
Thank you for support for this year's concert series and continued support
of the Lancaster Town Band. Disposition = Received & Filed**
- 490. Duplicate communication**
- 491. Police Officer Jeffrey Smith to Deputy Town Clerk –
No objection to Game License Application for Lancaster Lanes.
Disposition = Resolution 9/6/16**
- 492. Erie County Dept. of Environment & Planning to property owner/resident –
Construction activity notice regarding paving work through Transit Rd./
William St. intersection and along William St. later in 2016.
Disposition = Highway Superintendent**
- 493. Town Clerk to Town Board –
Transmittal of Special Use Permit Application for Sandbanks, Gravel Pits
and Stone Quarries for P.M. Peppermint, Inc., 31 Peppermint Rd.
Disposition = Planning Committee**
- 494. Twin District Volunteer Fire Co. to Town Clerk –
Change in roster. Disposition = Resolution 9/6/16**
- 495. Charter Communications to Supervisor –
Developments affecting Time Warner Cable subscribers in the Western
New York Division. Disposition = Received & Filed**
- 496. Planning Board Chairman to Town Board, Planning Board, Engineering
Consultant, Town Attorney, Highway Superintendent and Building Inspector –
Draft copy of minutes and recommendations memos from August 3, 2016
Planning Board meeting. Disposition = Planning Committee**
- 497. Richard Walczak to Supervisor –
Comments and concerns regarding vehicular traffic in the Windsor Ridge
Subdivision. Disposition = Lieutenant Rozler & Police Captain Laurienzo**
- 498. Village of Lancaster to Town Clerk –
Minutes from regular meeting held on July 25, 2016.
Disposition = Received & Filed**
- 499. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Public Works regarding Precision
Scale, 140 Rotech Dr., Proj. #5281. Disposition = Planning Committee**
- 500. Park Crew Chief to Supervisor and Town Board –
Request for resolution to appropriate \$30,000 of tree fee funds for increase in
emergency requests due to hazard of dead Ash Trees on Town right-of-ways
and vacant land. Disposition = Director of Finance**
- 501. Park Crew Chief to Supervisor and Town Board –
Request for resolution to have ten Ash Trees on Town property adjacent
to 42 Running Brook Dr. removed by May's Tree Service, Inc.,
P.O. Box 540, Lancaster, NY 14086. Disposition = Resolution 9/6/16**
- 502. Catherine Mangione to Town Board –
Request for installation of a street light near 11 Gordon Avenue.
Disposition = Village of Lancaster**

503. Sarah Barraclough to Town Board –
Request for installation of a street light at 12 Gordon Avenue.
Disposition = Village of Lancaster
504. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Dept. of Environmental Conservation regarding
Precision Scale, 140 Rotech Dr., Proj. #5281. Disposition = Planning Committee
505. Town Engineer to Town Board –
Recommend PIP #685 sidewalks – Creekside at Pleasant Meadows Subdivision 6
Phase 1 be accepted by the Town. Disposition = Resolution 9/6/16
506. Gerald Herberger to Supervisor –
Thank you to the Town of Lancaster and Mays Tree Service for addressing
the problem with dead Ash Trees bordering his property that were on Town
property. Disposition = Received & Filed
507. Police Officer Jeffrey Smith to Town Clerk –
No objection to granting fireworks permit to Lancaster Country Club for
9/3/2016. Disposition = Received & Filed
508. Town Clerk to Town Board –
Special Use Permit Application for Topsoil Removal for P.M. Peppermint, Inc.,
31 Peppermint Road. Disposition = Planning Committee
509. Code Enforcement Officer to Town Board –
Recommend approval of Special Use Permit Application for PM Peppermint, Inc.,
31 Peppermint Road with conditions. Disposition = Planning Committee
510. Code Enforcement Officer to Town Board –
Recommend to revoke any and all Use Permits, Operational Permits and
Certificates of Occupancy issued to Online Limousine/WNY Motorsports,
3568 Walden Avenue due to the continued disregard for the requirements
specified in both codes. Disposition = Town Attorney
511. Town Clerk to Highway Superintendent, Senior Citizens Coordinator,
Police Chief, Park Crew Chief, Youth Bureau Director, Office of Emergency
Management, Town Board and Carmen Ciccarelli –
Polling places for 2016 Primary & General Elections.
Disposition = Received & Filed
512. Town Clerk to Mark Maier, Lancaster Country Club –
Transmittal of fireworks permit for Lancaster Country Club for 9/3/2016.
Disposition = Received & Filed
513. Town Attorney to Town Clerk –
Transmittal of Maintenance Bond for PIP #685 Sidewalk public improvement
for The Creekside at Pleasant Meadows Subdivision 6: Phase 1.
Disposition = Received & Filed
514. Richard Goss, Lancaster Central School Dept. of Music to Supervisor –
Request for use of Lion's Picnic Shelter, adjacent to The Senior Citizens
Center & Lancaster Youth Bureau for annual band picnic/party on
September 25, 2016 from noon – 2:00 PM. Disposition = Received & Filed
515. Commissioner of NYS Department of Transportation to Supervisor –
Announcement of availability of funding to support transportation-related
projects and programs. Disposition = Grantmakers Advantage
516. Park Crew Chief to Supervisor and Town Board –
Thanks for continued support in the ongoing battle with the emerald ash bore.
Disposition = Received & Filed

517. Steven Press to Town Board –
Request for reduction of speed limit from current 45 mph to 35 mph on
Pavement Road between Walden Avenue and Broadway.
Disposition = Police Captain Laurienzo, Lieutenant Rozler & Public Safety
Committee
518. Reilly Meegan Architecture to Town Clerk –
Notice of Site Plan Review for Lancaster Mini Mart, 5424 Broadway.
Disposition = Received & Filed
519. Park Crew Chief to Supervisor and Town Board –
Request for resolution to purchase one 96” Snow V-Blade from Bobcat of
Buffalo, 6511 South Transit Road, Lockport, NY. Disposition = For Resolution
520. Town of Clarence to Town Clerk –
Solicitation for Lead Agency Status for Town of Clarence Comprehensive Plan
2030, Proj. #TOC82416. Disposition = Received & Filed
521. Marc Shuttleworth, Buffalo Distribution, Inc. to NYS Dept. of Transportation –
Transit Road Corridor future project, Village of Depew.
Disposition = Resolution 9/6/16
522. Highway Superintendent to Town Board –
Request for resolution appointing Brian Stanek to the position of Laborer
Grade #1 in the Highway Department effective September 12, 2016.
Disposition = Resolution 9/6/16
523. Park Crew Chief to Supervisor and Town Board –
Request for resolution appointing John Pilato to the position of Laborer in the
Parks, Recreation & Forestry Dept. effective September 12, 2016.
Disposition = Resolution 9/6/16
524. Town Attorney to Supervisor, Town Engineer, Town Code Enforcement
Officer and Town Clerk –
SEQRA Review – Joe Basil Resale Center Renovation, 5111 Transit Road,
Town of Lancaster, Proj. #1506. Disposition = Planning Committee
525. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Dept. of Environmental Protection regarding
Apple Rubber Products Addition, 204 Cemetery Road, Proj. #2562.
Disposition = Planning Committee
526. Town Attorney to Town Board and Planning Board –
SEQR responses from Erie County Division Environmental Planning and Erie
County Division of Sewerage Management regarding Upstate Towers Co. LLC,
Mohawk/Juniper, Proj. #6023. Disposition = Planning Committee
527. Town Attorney to Town Board and Planning Board –
SEQR responses from Erie County Division Environmental Planning and Erie
County Division of Sewerage Management regarding Upstate Tower Co. LLC,
South Penora St., Proj. #6018. Disposition = Planning Committee
528. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Dept. of Environmental Conservation regarding
Apple Blossom 3-Lot Development, South of Apple Blossom Blvd.,
Proj. #6030. Disposition = Planning Committee
529. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding
Rezone Royal Car Wash, 6645 Transit Road; GB to CMS.
Disposition = Planning Committee

- 530. Police Chief to Supervisor –**
Request for resolution appointing Amy Sharkey to the position of Clerk Typist Confidential in the Police Dept. effective September 14, 2016.
Disposition = Resolution 9/6/16
- 531. Town Engineer to Town Board –**
Recommend acceptance of Public Improvement Permits for Cross Creek Subdivision, Phase 7 for P.I.P.#748 - Sidewalks, P.I.P.#749 - Pavement & Curb, P.I.P.#750 - Waterline, and P.I.P.#751 – Storm sewer.
Disposition = Resolution 9/6/16
- 532. Town Clerk to Various News Media –**
Notice of Special Meeting of Town Board and Planning Board for SEQRA review: Site Plan: Autowave Truck Repair Center, 1035 Ransom Road on September 6, 2016 at 6:15PM. Disposition = Received & Filed
- 533. Town Attorney to Town Clerk –**
Transmittal of Maintenance Bonds for Sidewalk, Pavement & Curb, Water Line, and Storm Sewer public improvements for Cross Creek Subdivision, Phase 7; and request for resolution accepting P.I.P.#748 - Sidewalks, P.I.P.#749 - Pavement & Curb, P.I.P.#750 - Waterline, and P.I.P.#751 – Storm sewer.
Disposition = Received & Filed
- 534. Police Chief to Town Clerk –**
Articles and communications. Disposition = Received & Filed
- 535. Code Enforcement Officer to Town Board –**
Setback variances will be required to issue a building permit for Special Use Permit – Up State Tower Co., LLC, South Penora St.
Disposition = Planning Committee
- 536. Code Enforcement Officer to Town Board –**
Setback variances will be required to issue a building permit for Special Use Permit – Up State Tower Co., LLC, Mohawk Pl.
Disposition = Planning Committee
- 537. Erie County Department of Social Services to Supervisor –**
Information regarding 2016-2017 Home Energy Assistance Program (HEAP).
Disposition = Received & Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned in memory
of Mary Abraham, Germaine Scofield, and Marvin Scroger at 8:10 P.M.

Signed_____

Diane M. Terranova, Town Clerk